

GARMAN TURNER GORDON LLP  
 GREGORY GARMAN, ESQ.  
 Nevada Bar No. 6654  
 Email: ggarman@gtg.legal  
 TALITHA GRAY KOZLOWSKI, ESQ.  
 Nevada Bar No. 9040  
 Email: tgray@gtg.legal  
 MARY LANGSNER, Ph.D.  
 Nevada Bar No. 13707  
 mlangsner@gtg.legal  
 7251 Amigo Street, Suite 210  
 Las Vegas, Nevada 89119  
 Tel: 725.777.3000  
 [Proposed] Attorneys for Michael Carmel,  
 Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:  SILVER STATE BROADCASTING, LLC,  AFFECTS THIS DEBTOR <input type="checkbox"/>  AFFECTS GOLDEN STATE BROADCASTING, LLC <input type="checkbox"/>  AFFECTS MAJOR MARKET RADIO, LLC <input type="checkbox"/>  AFFECTS ALL DEBTORS <input checked="" type="checkbox"/>	CASE NO. BK-21-14978-ABL  Chapter 11  <i>Jointly Administered with:</i>  Golden State Broadcasting, LLC Case No. 21-14979-ABL  Major Market Radio, LLC Case No. 21-14980-ABL  <u>Hearing Date:</u> Date: May 1, 2023 Time: 1:30 p.m. Pacific Time
---	---

**STIPULATION BETWEEN CHAPTER 11 TRUSTEE AND RECEIVER W.  
 LAWRENCE PATRICK REGARDING RECEIVER W. LAWRENCE PATRICK'S  
 MOTION FOR ALLOWANCE OF ADMINISTRATIVE CLAIM PURSUANT TO 11  
 U.S.C. §§ 503(b)(3)(E), 503(b)(4) & 543(c)(2) [ECF 433]**

Michael Carmel, in his capacity as the Chapter 11 trustee ("Trustee") of the bankruptcy estates of Silver State Broadcasting, LLC, Golden State Broadcasting, LLC, and Major Market Radio, LLC,<sup>1</sup> by and through his counsel of record Gregory E. Garman, Esq., Talitha Gray Kozlowski, Esq., and Mary Langsner, Ph.D. of the law firm Garman Turner Gordon LLP, and W.

<sup>1</sup> (Silver State Broadcasting, LLC, Golden State Broadcasting, LLC, and Major Market Radio, LLC collectively, the "Debtors".)

1 Lawrence Patrick, former receiver over certain assets of the Debtors (the “Receiver”), by and  
 2 through his counsel of record Brett A. Axelrod Esq. and Nicholas A. Koffroth, Esq. of Fox  
 3 Rothschild LLP, stipulate and agree as follows:

#### 4 RECITALS

5 1. On October 19, 2021 (“Petition Date”), the Debtors filed their voluntary petitions  
 6 for relief under Chapter<sup>2</sup> 11 of the Bankruptcy Code, thereby commencing the above-captioned  
 7 bankruptcy cases (the “Chapter 11 Case”). *See* ECF No. 1.

8 2. On November 19, 2021, this Court entered its *Order Authorizing Joint*  
 9 *Administration of Cases* directing that “the Chapter 11 case of SILVER STATE  
 10 BROADCASTING, LLC (Case No. 21-14978-abl), shall be jointly administered with the Chapter  
 11 11 cases of GOLDEN STATE BROADCASTING, LLC (Case No. 21-14979-abl) and MAJOR  
 12 MARKET RADIO LLC (Case No. 21-14980-abl), with SILVER STATE BROADCASTING,  
 13 LLC designated as the Lead Case (“Lead Case”), and all papers relating to the above referenced  
 14 Debtors shall be docketed in the Lead Case (Case No. 21-14978-abl).” *See* ECF No. 37.

15 3. On March 6, 2023, this Court entered its *Order on United States Trustee’s Motion*  
 16 *to Appoint Chapter 11 Trustee Under 11 U.S.C. § 1112(b); and Memorandum of Point and*  
 17 *Authorities in Support and Reservation of Rights [ECF No. 405], and Creditor Mincin Law,*  
 18 *PLLC’s Motion for Appointment of Chapter 11 Trustee [ECF No. 393],* thereby directing the  
 19 appointment of a Chapter 11 trustee for the Debtors’ estates. *See* ECF No. 419.

20 4. On March 10, 2023, Tracy Hope Davis, the United States Trustee for Region 17,  
 21 appointed the Trustee as the Chapter 11 trustee for Debtors’ estates. *See* ECF No. 420.

22 5. On March 10, 2023, the Court entered its *Order Approving Appointment of Chapter*  
 23 *11 Trustee* [ECF No. 422], thereby approving the Trustee’s appointment.

---

24  
 25  
 26  
 27 <sup>2</sup> All references to “Section” herein shall be to the Bankruptcy Code appearing in Title 11 of the U.S. Code; all  
 28 references to a “Bankruptcy Rule” shall refer to the Federal Rules of Bankruptcy Procedure; and all references to a  
 “Local Rule” shall refer to the Local Rules of Bankruptcy Practice of the U.S. District Court for the District of Nevada.

6. On March 13, 2023, the Trustee filed his *Notice of Acceptance of Appointment of Chapter 11 Trustee* accepting appointment as the Chapter 11 trustee for the Debtors' estates. See ECF No. 424.

7. On March 23, 2023, Receiver filed the *Receiver W. Lawrence Patrick's Motion for Allowance of Administrative Claim Pursuant to 11 U.S.C. §§ 503(b)(3)(E), 503(b)(4) & 543(c)(2)* [ECF No. 433] (the "Application"). The Application seeks approval of fees and costs incurred by Receiver and his counsel both before the Petition Date ("Pre-Petition Period") and after the Petition Date (the "Post-Petition Period").

8. The Application was noticed for a hearing date of May 1, 2023, at 1:30 p.m. prevailing Pacific Time ("Hearing"), with a commensurate opposition deadline set by Local Rule of Bankruptcy Practice of the United States Bankruptcy Court for the District of Nevada ("Local Rule") of **April 17, 2023** ("Trustee Response Deadline"), with any reply by the Receiver due on **April 24, 2023** ("Reply Deadline") (together, the "Briefing Deadlines"). See ECF No. 438.

9. The Trustee has, separately, asked the Receiver to turn over the Debtors' books, records, and assets in the Receiver's possession, including:

- A copy of any materials previously turned over to the Debtors' former counsel Harris Law Practice LLC;
- All of the Receiver's previous sales and marketing efforts in connection with any prior attempts to sell and/or market any assets of the Debtors or an entity related to the Debtors, including communications respecting such marketing and sale efforts;
- A copy of any agreement, including any local marketing agreement(s), local management agreement(s), or LMA(s) entered into with VCY America, Inc.;
- A copy of any agreement(s), including lease(s), licensing agreement(s), or transmitter site use agreement(s), entered into with C&E Haas Development Company, LLC;
- A copy of any agreement(s), including lease(s), licensing agreement(s), or transmitter site use agreement(s), entered into with Crown Castle MU LLC;
- A copy of all documents in the Receiver's possession that were filed under seal in

the United States District Court for the Central District of California (“District Court”) Case No. 5:16-cv-00600 (“District Court Case”);

- A copy of all documents lodged by the Receiver in the District Court Case for *in camera* review by the District Court;
- All key(s) and access code(s) to any building and/or tower site at which any of the Debtors’ radio station assets are located;
- All of the Debtors’ books, records, and assets turned over to the Receiver by or on behalf of any of the Debtors or their principals including but not limited to Mr. Stolz.

(collectively, the “Turnover Request”).

10. The Trustee and Receiver (collectively, the “Parties”) seek to resolve the Application and the Turnover Request, as follows:

#### **STIPULATION**

11. Subject to the Receiver’s cooperation in expeditiously complying with the Turnover Request, the Receiver’s fees and expenses incurred during the Post-Petition Period **shall be allowed as an administrative expense in the Chapter 11 Cases in the aggregate total amount of \$87,198.50** (the “Administrative Claim”), as follows:

- \$57,023.50 in professional fees by Fox Rothschild LLP;
- \$7,425.00 in professional fees by Glaser Weil, LLP; and
- \$22,750.00 in professional fees by Sciarrino & Shubert, PLLC; for a total of
- \$87,198.50 total.

12. The balance of the amount sought in the Application, **\$778,822.10** (the “Claim Balance”)—calculated by subtracting the Administrative Claim from the total sought of \$866,020.60<sup>3</sup>—is not allowed as an administrative expense in the Chapter 11 Cases, and, the Parties reserve all rights respecting the Claim Balance.

13. The Hearing is continued for sixty (60) days, or a date set by the Court in any order

---

<sup>3</sup> See Application ECF No. 433 at 13:5 (referencing “the aggregate amount \$866,020.60” sought therein).

1 approving of this Stipulation.

2 14. The Briefing Deadlines shall be commensurately continued, with the Trustee's  
3 Response Deadline as fourteen (14) days prior to any re-scheduled hearing on the Application and  
4 any Reply Deadline for the Receiver's response thereto due seven (7) days thereafter.

5 A proposed Order approving this Stipulation has been lodged contemporaneously  
6 herewith.

7 Dated this 17th day of April, 2023.

Dated this 17th day of April, 2023.

8 GARMAN TURNER GORDON LLP

FOX ROTHSCHILD LLP

9 By: /s/ Mary Langsner

By: /s/ Nicholas Koffroth

10 GREGORY E. GARMAN, ESQ.

BRETT A. AXELROD, ESQ.

NBN 6654

NBN 5859

11 TALITHA GRAY KOZLOWSKI, ESQ.

NICHOLAS A. KOFFROTH, ESQ.

NBN 9040

*Pro Hac Vice*

12 MARY LANGSNER, Ph.D.

1980 Festival Plaza Drive, Suite 700

NBN 13707

Las Vegas, Nevada 89135

13 7251 Amigo Street, Suite 210

*Counsel for W. Lawrence Patrick*

Las Vegas, Nevada 89119

14 [Proposed] Attorneys for Michael Carmel,

Chapter 11 Trustee